

---

IN THE SENATE OF THE UNITED STATES.

---

MAY 12, 1896.—Ordered to be printed.

---

Mr. GALLINGER, from the Committee on Pensions, submitted the following

REPORT:

[To accompany H. R. 75.]

The Committee on Pensions, to whom was referred the bill (H. R. 75) granting a pension to Mary F. Davenport, have examined the same and report:

This bill has passed the House of Representatives, the report in the case being as follows:

Dudly Davenport was a first lieutenant of the revenue cutter *Caleb Cushing* during the late war of the rebellion. The evidence examined by your committee includes a letter from the Secretary of the Treasury, dated April 21, 1893, which says:

"The records of the Department show that the revenue cutter *Cushing* was captured by a Confederate privateer in Portland Harbor, Maine, on the night of the 26th of June, 1863. She was at the time in command of Lieutenant Davenport, Captain Clark, who had been in command, having died on that date in the city of Portland.

"The *Cushing*, with the other vessels of the service, was under orders by the President, dated June 14, 1863, to cooperate with the Navy in arresting rebel depredations on American commerce, etc."

At the time of the capture of the *Cushing* by the rebel privateer great cruelty was shown Lieutenant Davenport by his captors, it being known to them that he was a native of Georgia, who had remained loyal to the Union; that his life was threatened and he was placed in irons; that armed vessels of the United States pursued the privateer and the *Cushing*, and that finally Lieutenant Davenport and his crew were placed in small boats and abandoned in mid ocean, and the *Cushing* blown up.

As part of the evidence in this case is a letter to Lieutenant Davenport from Hon. S. P. Chase, Secretary of the Treasury, dated July 14, 1863, which says, in part:

"I am pleased to say that your conduct while a prisoner on the cutter *Cushing* in refusing to furnish any information whatever to her rebel captors meets my most cordial and unqualified approval."

The evidence presented in this claim shows conclusively that before and up to the capture of the *Cushing* by the rebel privateer, Lieutenant Davenport had been an exceptionally strong and hearty man, but that the mental strain and anxiety, together with personal abuse received at that time, produced a very marked change in him. Melancholia was developed, which soon resulted in insanity, and he was confined in an asylum at New Rochelle, N. Y., and afterwards at Utica, N. Y., where he died May 9, 1869. Affidavits of well-known citizens of Oswego, N. Y., where he resided, are exhibited, which show that from the time of his arrival home, after the capture of the *Cushing*, about July 15, he was undoubtedly insane.

Mary F. Davenport, the wife of Lieutenant Davenport, made application to the Commissioner of Pensions for a pension as the widow of Dudley Davenport, alleging that his death was the direct result of the hardship, suffering, mental strain, and exposure endured at the time of the capture of the *Cushing* by the rebel privateer on the 26th of June, 1863.

The claim was rejected July 19, 1890, "on the ground of no existing law granting pensions to widows of officers who served in the Revenue-Marine Service."

There is no dispute about the facts in this claim, and as all the evidence goes to show that the mind of Lieutenant Davenport became shattered, ending in total insanity and death, all resulting from the capture of the vessel commanded by Lieutenant Davenport by an armed vessel of the enemy, there is no equitable reason why the relief sought for in this bill should not be granted. It further appears from the testimony that Mary F. Davenport was married to Lieutenant Davenport on the 9th day of July, 1862; that she is entirely destitute and has been for several years partially blind, having to remain in a darkened room a large portion of the time, and that she is now dependent for her support upon the bounty of friends, and that she has no children.

Considering all the evidence in this claim, which evidence is from the leading citizens of Oswego, N. Y., as well as physicians of the asylum where said Davenport was confined, and the documentary evidence furnished by the Government, your committee believe that this is a case where special legislation only can afford relief that seems to be just, and therefore recommend the passage of the bill.

Your committee are of opinion that the bill is meritorious, and therefore report it back favorably, with a recommendation that it pass.

